

1                                   **WAYZATA PLANNING COMMISSION**  
2                                   **MEETING MINUTES**  
3                                   **APRIL 18, 2016**

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6    **AGENDA ITEM 1. Call to Order and Roll Call**

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8    Chair Iverson called the meeting to order at 7:00 p.m.

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10   Present at roll call were Commissioners: Gruber, Gonzalez, Iverson, Murray, and Flannigan.  
11   Absent and excused: Commissioners Young and Gnos. Director of Planning and Building Jeff  
12   Thomson and City Attorney David Schelzel were also present.  
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15   **AGENDA ITEM 2. Approval of Agenda**

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17   Commissioner Murray made a motion, Seconded by Commissioner Gonzalez, to approve the  
18   April 18, 2016 agenda. The motion carried unanimously.  
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21   **AGENDA ITEM 3. Approval of Minutes**

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23           **a.) Approval of the April 4, 2016 Planning Commission Minutes**

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25   Commissioner Gruber made a motion, Seconded by Commissioner Murray, to approve the April  
26   4, 2016 meeting minutes as presented. The motion carried unanimously.  
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29   **AGENDA ITEM 4. Regular Agenda Public Hearing Items:**

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31   None.  
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34   **AGENDA ITEM 5. Regular Agenda Old Business Items:**

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36           **a.) Unitarian Universalist Church of Minnetonka – 2030 Wayzata Blvd. E.**

37                   **a. Design review, Preliminary Plat, PUD amendment, Rezoning, Comp**  
38                   **Plan amendment, and Variances**

39  
40   Director of Planning and Building Thomson stated the Planning Commission reviewed the  
41   development application for the Unitarian Universalist Church of Minnetonka at 2030 Wayzata  
42   Boulevard East on March 21 and April 4. At the April meeting, the Planning Commission voted  
43   five (5) in favor and one (1) opposed to direct staff to prepare a Report and Recommendation on  
44   the multi-request application as follows: (i) approval of the deviation from the Design Standards  
45   for a white roof;(ii) denial of the exterior building material deviation from the Design  
46   Standards;(iii) approval of the PUD amendment for the revised site plan subject to the conditions

1 outlined in the Staff Report;(iv) approval of the Preliminary Plat Subdivision;(v) approval of  
2 variances for lot depth and minimum lot size;(vi) approval of rezoning to PUD/Planned Unit  
3 Development and R-1/Low Density Single Family Residential; (v) and approval of the  
4 Comprehensive Plan Amendment to designate Parcel B to Institutional/Public and One-Acre  
5 Single Family. He stated the Applicant had submitted additional information regarding the white  
6 roof and exterior building materials for the Commission to review.

7  
8 Chair Iverson asked what the City Engineer found when reviewing the wetland delineation  
9 request.

10  
11 Mr. Thomson stated that the City Engineer and the City's wetland consultant looked at the flags  
12 that had been placed last fall to designate the wetland area. After the City Engineer and City's  
13 wetland consultant reviewed these, they determined that there were a couple flags that were off.  
14 The City Engineer reflagged where the wetlands were, and the Applicant will re-survey the  
15 property to make the appropriate adjustments to the site plan.

16  
17 Commissioner Gruber stated page 94 of the Draft Report states that the settlement agreement  
18 would need to be amended if the City Council were to approve the rezoning and Comprehensive  
19 Plan amendment for parcel B to allow for residential use. She asked Mr. Thomson to clarify this.

20  
21 City Attorney Schelzel stated the City has an agreement with the Church that settled the  
22 litigation the Church brought against the City related to their first application to redevelop the  
23 property. This agreement is very specific about how the outlot was to be used, and limited it to  
24 Church and related uses. If part of the outlot was to be reguided and rezoned residential by the  
25 City, the City would like to ensure that the change in use is not in conflict with the terms of the  
26 settlement agreement. The City would not need to go to court to amend the agreement, but the  
27 City should get it in writing that the Church agrees to the change in land use and such is not a  
28 violation of the settlement agreement.

29  
30 Mr. Wynne Yelland, Locus Architecture, 5214 Hampshire Drive, Minneapolis, for the Applicant,  
31 reviewed the additional information regarding the white roof and exterior building materials. He  
32 explained the exterior material would not be any more reflective than other surfaces because of  
33 the quality of paint that is used. He stated the material would be a higher quality than the  
34 permitted wood shingles and last longer.

35  
36 Commissioner Gonzalez stated she had seen painted aluminum siding and she would not know  
37 the difference between wood and the aluminum, unless she was knocking on it. She asked how  
38 the proposed product would compare to aluminum siding.

39  
40 Mr. Yelland stated the material is painted in a factory to provide a better lifetime out of the paint.  
41 The quality of the paint is high and it would last a long time. It would not have all of the  
42 texturing of wood but would look like wood from a distance. He cannot say the paint would last  
43 50 years but it is likely that it would.

44  
45 Mr. Robert Dachelet, 4801 Highland Road, Minnetonka, stated since 2007 the Church had  
46 intended to divide off a portion of the eastern lot, and the City was aware of this. He stated that

1 the neighborhood does not want the church to have access from Holdridge Lane. He stated that  
2 he does not believe the Settlement Agreement would need to be amended because the Church is  
3 following through with including the entire parcel as Church property, but they are asking to split  
4 off a portion of this to be residential.

5  
6 Chair Iverson asked if the City had documentation showing conversations between the Church  
7 and the City regarding the outlot.

8  
9 Mr. Schelzel stated the City had looked at that portion of the outlot as a potential site for a cell  
10 tower, but that there were no official City actions or formal communications with the Applicant  
11 on this property being used that way.

12  
13 Commissioner Gonzalez stated she would consider recommending a deviation for the exterior  
14 material if the Applicant could make a good case for the City Council to consider.

15  
16 Chair Iverson stated the City Council should make that decision, and the Planning Commission  
17 should stay with the Design Standards.

18  
19 Commissioner Gruber stated she would recommend approving the Report and Recommendation  
20 as presented.

21  
22 Commissioner Gonzalez stated the subdivision of the property for a new residential parcel does  
23 not meet the requirements of the City Code.

24  
25 Commissioner Murray stated he would like to see the City and the Commission keep an open  
26 mind for new building materials that may be more sustainable but are not included in the  
27 approved materials of the Design Standards.

28  
29 Commissioner Flannigan stated the Design Standards should be adhered to, but he would  
30 recommend the City Council consider the exterior material deviation.

31  
32 Commissioner Gruber made a motion, Seconded by Commissioner Flannigan to adopt the Draft  
33 Report and Recommendation as presented. The motion carried 4 ayes – 1 nay (Gonzalez).

34  
35 Commissioner Gonzalez stated she voted nay because the Comprehensive Plan Amendment  
36 states that an Institutional facility creates impacts on a neighborhood, including more traffic. It  
37 is nice to have a buffer between a neighborhood and an institutional use, and this parcel would be  
38 a good transitional parcel. Keeping this portion of the property as green space would be a benefit  
39 to the City and residents of the area. The Comp Plan says that the City needs to establish  
40 sufficient setback requirements for new or expanding development to ensure adequate separation  
41 between differing land uses. The requirements for granting a variance are very strict and should  
42 only be granted when they are consistent with the Comp Plan, there are practical difficulties  
43 unique to the property and not created by the landowner, and economic considerations alone do  
44 not constitute practical difficulties. The Applicant bought this parcel knowing that it would not  
45 meet the depth requirements of the R-1 District. The Applicant would be profiting from the sale  
46 of the property. She stated the City should not create substandard non-conforming lots. The

1 current non-conforming parcels existed prior to the City making changes in the Zoning  
2 requirements.

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4 Mr. Thomson stated the City Council is scheduled to review the application on May 3.  
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7 **AGENDA ITEM 6. Other Items:**  
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9 **a.) Review of Development Activities**  
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11 Mr. Thomson stated there was a special City Council meeting on April 12. The special meeting  
12 included a workshop discussion on language for a draft resolution on the Lake Effect schematic  
13 design and next steps. A public forum for the Lake Effect schematic design will be held at the  
14 April 19<sup>th</sup> City Council meeting. The City Council will not be taking action at that meeting, but  
15 will consider the schematic design and draft resolution at a regular meeting in May.  
16

17 The April 12 Council meeting also included consideration of a contract with HGA Architects for  
18 the next phase of design for the Mill Street parking ramp project. The City Council approved a  
19 contract with Jeff Dahl for the City Manager position at the meeting as well. Mr. Dahl will be  
20 starting on May 16<sup>th</sup>. The Heritage Preservation Board will present their annual report to the City  
21 Council on April 19. There are a number of development applications that will be reviewed by  
22 the Planning Commission in May and June.  
23

24 Chair Iverson asked if the tree ordinance would be reviewed prior to the new development.  
25

26 Mr. Thomson stated the City Council is scheduled to review the draft tree ordinance on May 3.  
27

28 Commissioner Murray reviewed the actions taken at the April 5<sup>th</sup> City Council meeting. The  
29 meeting agenda included business owners being concerned about the closure of Bushaway Road,  
30 appeal of City Staff's denial of a tree removal permit at 559 Harrington Road, and consideration  
31 of the parking ordinance.  
32

33 Commissioner Gonzalez requested Mr. Thomson clarify the Commission's recommended  
34 parking ordinance language for screening, and would like to encourage the Council to keep with  
35 the Design Standards.  
36

37 Chair Iverson asked if the speed hump for the Central and Wise area would be in front on the  
38 City Council on April 19.  
39

40 Mr. Thomson stated the meeting date has not been established. The intention is for the Council  
41 to consider changes to the Lake St/Circle Drive round-about and the two (2) neighborhood  
42 petitions for speed humps at the same meeting.  
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44 **b.) Other Items**  
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46 **None.**

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**AGENDA ITEM 4. Adjournment.**

Commissioner Gonzalez made a motion, seconded by Commissioner Murray, to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Tina Borg  
*TimeSaver Off Site Secretarial, Inc.*